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VIA ECF

Hon. Steven L. Tiscione, USMJ
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11717

Re: *Rodriguez v. Weber*, 18-cv-05424 (DRH)(ST)

Dear Judge Tiscione:

I represent the plaintiff in the above referenced matter. On May 29, 2020 I filed a motion for approval of an FLSA settlement. (DE 25). In light of the pandemic, the settlement was submitted unsigned, in anticipation of obtaining the client's signature thereafter.

The plaintiff originally indicated that he would sign the settlement agreement. Yesterday, however, it became clear that Mr. Rodriguez will not sign the settlement agreement and release. I therefore respectfully move to withdraw the joint motion for approval of FLSA settlement (DE 25).

I also request leave to file a motion to withdraw from representing Mr. Rodriguez *ex-parte*. The request to withdraw will be based, in part, upon confidential attorney-client communications.

I apologize to the Court and opposing counsel for any delay or inconvenience caused.

Respectfully,


Steven J. Moser